

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH
LOCAL OVERSIGHT PROGRAM (LOP)
For Hazardous Materials Releases
1131 HARBOR BAY PARKWAY
ALAMEDA, CA 94502
(510) 567-6700
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May 23, 2017

Ms. Carryl MacLeod
Chevron Environmental Management Co.
6001 Bollinger Canyon Road
San Ramon, CA 94583
(Sent via electronic mail to:
CMacleod@chevron.com)

Mr. Rene Boisvert
800 Center LLC
c/o Boulevard Equity Group
484 Lake Park Ave #246
Oakland, CA 94610-2730

Mr. Terrilla Sadler
618 Brooklyn Avenue
Oakland, CA 94606

Subject: Request for Closure Response, Fuel Leak Case RO0000454 (Global ID # T0600102230),
Chevron #20-6145 / Signal SS, 800 Center Street, Oakland CA 94607

Ms. MacLeod, and Messrs. Boisvert and Sadler:

Alameda County Department of Environmental Health (ACDEH) staff has reviewed the case file for the referenced site including *the First Quarter 2017 Groundwater Monitoring and Sampling Report*, dated March 22, 2017, and the *Updated Sensitive Receptor Survey and Site Conceptual Model and Low-Threat Closure Request*, dated March 24, 2017. The reports were prepared and submitted on your behalf by GHD. Thank you for submitting them.

ACDEH has evaluated site data, in conjunction with the case files, to determine if the site is eligible for closure as a low risk site under the State Water Resources Control Board's (SWRCBs) Low Threat Underground Storage Tank Case Closure Policy (LTCP). Based on ACDEH staff review, we have determined that the site fails to meet the Media-Specific Criteria for Groundwater and the Media-Specific Criteria for Direct Contact and Outdoor Air (see Geotracker for an updated checklist).

Based on the review of the case file ACDEH requests that you address the following technical comments and send us the documents requested below.

TECHNICAL COMMENTS

- 1. LTCP Media Specific Criteria for Groundwater** – To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed in the policy.

Our review of the case files indicates that insufficient data collection and analysis has been presented to support the requisite characteristics of plume stability or plume classification as follows:

- a. Groundwater Elevation Changes and Groundwater Concentration Changes** - The recent rise in groundwater elevations at the site is reflective of observations at many sites in Alameda County after this past winter's significant rainfall. Water level measurements collected in February 2017 indicate that depth to water is as shallow as 4.74 feet in onsite wells and 6.68 feet in downgradient wells. In general, historic groundwater data indicate that concentrations at the subject site appear to decrease upon rising groundwater elevations, and conversely groundwater concentrations generally increase upon declining groundwater elevations. However, data from MW-6, located downgradient of the former underground storage tank (UST), suggests this is not universally observed at the site. Concentrations of Total Petroleum Hydrocarbons as gasoline (TPHg), benzene, and ethylbenzene, increased relative to the previous seven years (since at least September 2010) when shallower groundwater elevations were documented. Due to the recent increase in concentrations in MW-6 seen in conjunction with the higher groundwater levels, and the significant residual contamination remaining at the site, ACDEH is concerned that the

groundwater plume has the potential to intercept basements and sumps located proximal to the site on downgradient residential properties.

- b. Length of Groundwater Plume** – The rose diagram included in the referenced reports indicates the groundwater flow direction varies from westerly (rarely) to southerly (rarely), and appears to predominately flow to the southwest. ACDEH is in general agreement that well MW-8 suggests groundwater is defined to the west-southwest of MW-3. However, ACDEH is concerned that the length of the groundwater plume, underlying residential properties, to the south-southwest of well MW-3 and to the west of MW-6, has not been adequately defined and may leave the properties at some risk should basements be associated with the properties. The recent basement survey did not receive responses from the properties proximal to the site, thus it is unknown if these properties could be so affected. An address by address basement evaluation and survey in close proximity to the site may provide sufficient additional data to address this concern.

Please present a strategy in the Data Gap Work Plan (described in Technical Comment 3 below) to address the items discussed above. Alternatively, please provide justification of why the site satisfies the Media-Specific Criteria for Groundwater in the focused SCM described in Technical Comment 3 below.

- 2. LTCP Media Specific Criteria for Direct Contact and Outdoor Air Criteria** – The LTCP describes conditions where direct contact with contaminated soil or inhalation of contaminants volatilized to outdoor air poses a low threat to human health. According to the policy, release sites where human exposure may occur satisfy the media-specific criteria for direct contact and outdoor air exposure and shall be considered low-threat if the maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 for the specified depth bgs. Alternatively, the policy allows for a site specific risk assessment that demonstrates that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health, or controlling exposure through the use of mitigation measures, or institutional or engineering controls.

The *Technical Justification for Soil Screening Levels for Direct Contact and Outdoor Air Exposure Pathways*, (SWRCB, March 15, 2012) states the exposure pathways considered under this scenario include the incidental ingestion of soil, dermal contact with soil, and the inhalation of dust and volatile emissions from soil, and that the exposure pathways are assumed to occur simultaneously.

- a. Elevated Residual Soil Contamination** - Our review of the case files indicates site data appears to meet the LTCP Direct Contact goals in the 0 to 5 foot depth interval for commercial and residential land use, and is protective of utility workers in this depth interval; however, fails to meet the LTCP Volatilization to Outdoor Air goals in the 5 to 10 foot depth interval and is not protective of commercial, residential, and utility workers. Concentrations in the 5 to 10 foot depth interval of up to 92 milligrams per kilogram (mg/kg) benzene and 480 mg/kg ethylbenzene are documented to be present.

The subject property has been described as a fenced vacant dirt lot in a residential and commercial neighborhood. Under the current land use scenario residual concentrations of contaminants in soil create a potential risk for inhalation of dust and contaminants present in soil and volatilizing into outdoor air. Additionally, ACDEH is aware that the subject site has been the location of unauthorized removal of site fencing and an ensuing urban farming effort which has included raised planting beds and egg laying chickens. Thus institutional controls of this nature do not appear to be effective for the site.

Finally, while not a part of this fuel leak case, surficial contaminants including lead, organochlorine pesticides, and PCBs are present in surficial soils at one or more parcels that comprise the site. A separate Site Cleanup Case will be opened to address these non-petroleum contaminants.

Please present a strategy in the Data Gap Work Plan described in Technical Comment 3 below to demonstrate the site satisfies the direct contact and outdoor air exposure criteria at the site and assures that volatilization of petroleum constituents in soil will have no significant risk of adversely affecting human health.

- 3. Data Gap Investigation Work Plan and Focused Site Conceptual Model** – Please prepare a Data Gap Investigation Work Plan to address the technical comments listed above. Please support the scope of work in the Data Gap Investigation Work Plan with a focused SCM and Data Quality Objectives (DQOs) that relate the data collection to each LTCP criteria. For example please clarify which scenario within each Media-Specific Criteria a sampling strategy is intended to apply to.

In order to expedite review, ACDEH requests the focused SCM be presented in a tabular format that highlights the major SCM elements and associated data gaps, which need to be addressed to progress the site to case closure under the LTCP.

SUBMITTAL ACKNOWLEDGEMENT STATEMENT

Please note that ACDEH has updated Attachment 1 with regard to report submittals to ACDEH. ACDEH will now be requiring a Submittal Acknowledgement Statement, replacing the Perjury Statement, as a cover letter signed by the Responsible Party (RP). The language for the Submittal Acknowledgement Statement is as follows:

I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's Geotracker Website.

Please make this change to your submittals to ACDEH.

TECHNICAL REPORT REQUEST

Please submit reports to Alameda County Environmental Health (Attention: Mark Detterman), and upload technical reports to the ACDEH ftp site (Attention: Mark Detterman), and to the State Water Resources Control Board's Geotracker website, in accordance with the following specified file naming convention and schedule:

- **July 28, 2017** – Data Gap Work Plan
(File name: RO0000454_WP_R_yyyy-mm-dd)

Should you have any questions, please contact me at (510) 567--6876 or send me an electronic mail message at mark.detterman@acgov.org.

Sincerely,



Mark E. Detterman, PG, CEG
Senior Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations
Electronic Report Upload (ftp) Instructions

cc: Kiersten Hoey, GHD, Inc., 5900 Hollis Street, Suite A, Emeryville, CA 94608
(Sent via electronic mail to: Kiersten.Hoey@ghd.com)

Greg Barclay, 5900 Hollis Street, Suite A, Emeryville, CA 94608
(Sent via electronic mail to: Greg.Barclay@ghd.com)

Dilan Roe, ACDEH, (Sent via electronic mail to: dilan.roe@acgov.org)
Paresh Khatri, ACDEH; (Sent via electronic mail to: paresh.khatri@acgov.org)
Mark Detterman, ACDEH, (Sent via electronic mail to: mark.detterman@acgov.org)
Electronic File; GeoTracker

Attachment 1

Responsible Party(ies) Legal Requirements / Obligations

REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program File Transfer Protocol (FTP) site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and [other](#) data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to SCP sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website (http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/) for more information on these requirements.

ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional. For your submittal to be considered a valid technical report, you are to present site-specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)	REVISION DATE: December 1, 2016
	ISSUE DATE: July 5, 2005
	PREVIOUS REVISIONS: October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions


The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Submission Instructions

- 1) Obtain User Name and Password
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to deh.loptoxic@acgov.org.
 - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Open File Explorer using the Windows  key + E keyboard shortcut.
 - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
 - b) On the address bar, type in ftp://alcoftp1.acgov.org.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
 - d) Click Log On.
 - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - f) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to deh.loptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
 - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.